

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 4:18CR190
v.	§	Judge Crone
	§	
STEPHEN CHASE CLARK	§	

FACTUAL BASIS

The defendant, **Stephen Chase Clark**, stipulates and agrees that the following facts are true and correct:

1. The defendant, **Stephen Chase Clark (Clark)**, who is changing his plea to guilty, admits that he is the individual charged in the Indictment.
2. As charged in Count One of the Indictment, between on or about August 27, 2018, and on or about August 28, 2018, in the Eastern District of Texas, **Clark** did knowingly attempt to persuade, induce, entice, or coerce a minor to engage in sexual activity.
3. Specifically, on August 27, 2018, **Clark** contacted an individual he believed to be a teenaged male on a social media application. During the communications, **Clark** repeatedly asked for photographs of the male, both in his underwear and nude (i.e., photographs of the male's genitals). **Clark** asked for information about the individual, including his age, who he lived with, and the town in which he lived.
4. At the time of his communications, **Clark** believed that he was communicating with and would meet a male child under the age of 18-years old for

sexual activity and, in fact, that the child had not yet attained the age of 14-years old.

Upon learning that the individual with whom he was communicating was a child, **Clark** stated that the minor male's age was "dope" and "cool," asking which school the minor male attended and about his prior sexual experiences.

5. **Clark** engaged in sexually explicit online and cellular communications with an individual he believed to be a minor, during which **Clark** expressed a desire to engage in oral and anal intercourse with the minor male. Specifically **Clark** stated that he wanted to "breed" and "face fuck" the minor male and that he would take steps to minimize any pain or discomfort to the child.

6. **Clark** admits that had he engaged in oral and anal intercourse with a minor under the age of 14-years old, he could have been charged with violations of the laws of the State of Texas, including Aggravated Sexual Assault, Texas Penal Code § 22.021.

7. **Clark** further admits that he traveled to a public area, located within McKinney, Collin County, Texas, on August 28, 2018, in order to meet a minor male with the intention of engaging in illegal sexual activity with the minor male.

8. As charged in Count Two of the Indictment, on or about April 30, 2018, in the Eastern District of Texas, **Clark** did knowingly receive child pornography that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

mjm *TS*
5 *9* 2. Specifically, **Clark** knowingly received files of child pornography using the Internet, a messaging application, and a Samsung Galaxy S9+ cellular phone.

Included among the files **Clark** received were the following:

FILE NAME	DESCRIPTION
ddb8760e-7c7b-45f4-abb5-3.mp4	This is the first part of a three-part video. The video depicts an adult male who carries a prepubescent male infant to a bed, lays the child down, and begins to penetrate the child's anus with his penis.
794879db-db36-4fa1-8931-a.mp4	This is the second part of a three-part video. This video depicts the adult male penetrating the anus of a prepubescent male infant with his penis while positioned over the child. The man then moves behind the child and continues penetrating his anus while holding his legs.
c1726ca6-5684-4a4a-9198-0.mp4	This is the third part of a three-part video. In the last video, the adult male ejaculates on the prepubescent male infant, cleans the child, then allows the child to crawl away, exposing his anus and genitals to the camera.

mjm *TS*
5 10 3. **Clark** knew that the images and videos he received, distributed, and possessed depicted children engaged in sexually explicit conduct and did constitute child pornography. **Clark** also knew that he received, distributed, and possessed more than 600 images and videos of child pornography, including files depicting prepubescent minors, depictions of the sexual exploitation of infants or toddlers, and depictions of sadistic or masochistic abuse.

mjm *TS*
5 11 4. **Clark** admits that he committed the offenses described in the Indictment at locations, including his home, in McKinney, Collin County, Texas within the Eastern District of Texas.

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Clark used the following computer equipment to attempt to coerce and entice a minor to engage in illegal sexual activity, as well we to receive, distribute, and possess images and videos of child pornography:

- a. Samsung Galaxy S9+ cellular phone, model number SM-G965U and bearing IMEI number 353322091333139.

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Clark acknowledges that the Internet is a means and facility of interstate and foreign commerce. Moreover, the social media and messaging applications **Clark** utilized are both Internet-based. **Clark** further acknowledges that his Samsung Galaxy S9+ cellular phone was not made in Texas and was therefore itself transported in interstate and foreign commerce.

SIGNATURE AND ACKNOWLEDGMENT BY DEFENDANT
STEPHEN CHASE CLARK

I have read this Factual Basis and have discussed it with my attorney. I fully understand the contents of this Factual Basis and agree without reservation that it accurately describes my acts.

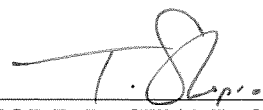
Dated: 2/18/19


STEPHEN CHASE CLARK
Defendant

SIGNATURE AND ACKNOWLEDGMENT BY ATTORNEY FOR DEFENDANT

I have read this Factual Basis and the Indictment and have reviewed them with my client. Based upon my discussions with my client, I am satisfied that my client fully understands the Factual Basis.

Dated: 2/18/19


TODD D. SHAPIRO
Attorney for the defendant